

State of South Dakota

SEVENTY-NINTH SESSION
LEGISLATIVE ASSEMBLY, 2004

348J0574

HOUSE BILL NO. 1183

Introduced by: Representatives Novstrup, Kraus, LaRue, McCaulley, Rhoden, and Weems
and Senator Sutton (Duane)

1 FOR AN ACT ENTITLED, An Act to provide the temporary replacement of any elected official
2 incapacitated by illness or accident.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That chapter 3-4 be amended by adding thereto a NEW SECTION to read as
5 follows:

6 If any member of a governing body of a county, municipality, school district, township, or
7 special purpose district, who is incapacitated by illness or an accident which causes the member
8 to be unable to attend meetings of the governing body, the member may elect to temporarily
9 resign from the governing body. Notice of temporary resignation may be given in the same
10 manner as giving notice of resignation from such governing body. If the member is unable to
11 give notice, the member's spouse, guardian, or attending physician may give notice of
12 resignation from such governing body. A temporary replacement may be made in accordance
13 with the provisions of statute applying to the governing body. The temporary member shall
14 serve until the member is able to fulfill the requirements of office or until the expiration of the
15 member's term, whichever occurs first.

